

TOWN OF ALPINE

273 ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING TITLE IV PUBLIC HEALTH AND SANITATION CHAPTER
_____ SECTION ____ TO INCLUDE SECTION _____

REGULATING, PREVENTING OR ERADICATING NOXIOUS WEEDS IN THE TOWN OF
ALPINE AND APPROVING WEED CONTROL IN THE TOWN OF ALPINE

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ALPINE:

TOWN OF ALPINE WEED CONTROL AND ABATEMENT

Sections:

- 1. Noxious weeds defined.**
- 2. Weeds on private property prohibited.**
- 3. Removal notice--Time.**
- 4. Failure to remove--Removal by town--Costs a lien.**
- 5. Conflicts Repealer.**
- 6. Emergency Ordinance Passed and Approved.**

1. Noxious weeds defined.

Whenever used in this ordinance, "noxious weeds" means any plant which the Wyoming Board of Agriculture and the Wyoming Weed and Pest Council have found to be detrimental to the general welfare of persons residing within a specified district and as set forth in the Wyoming Weed and Pest Control Act, Wyo. Stat. § 11-5-101 et seq. and those weeds on the designated list and the Lincoln County declared list.

2. Weeds on private property prohibited.

No owner or owners of any lot, place, or area within the Town of Alpine, or the agent of such owner or owners, shall permit noxious weeds on such lot, place or area and one-half of any road or street or alley lying next to such land abutting thereon. The existence of such noxious weeds constitutes a public nuisance.

3. Removal notice – Time.

The representatives designated by the mayor, including but not limited to the Supervisor of the Lincoln County Weed and Pest division and the Alpine Noxious Weed Advisory Committee, or any other designated representative, are authorized and empowered to notify in writing the owner or owners of any such lot, place or area within the Town, or the agent of such owner or owners, to exterminate or remove any such noxious weeds found growing, lying or located on such owners' property or upon the one-half of any road, street or alley lying next to abutting thereon. Such notice shall be by certified mail, with return receipt, addressed to the owner or owners or agent

of the owner or owners, and shall give such owner or his agent such period of time as stated in the notice, but not less than ten days from the receipt of notice, to exterminate or remove the noxious weeds.

4. Failure to remove – Removal by Town – Costs and lien.

If, after having received notice as provided in Section 3, any owner(s) or the agent thereof, fails to exterminate or remove noxious weeds growing, lying, or located upon the owner(s) property, or if, within ten (10) days after the date of such notice is returned to the Town as undeliverable, the Code Enforcement officer shall submit a written affidavit to the Town Prosecuting Attorney for prosecution under this section.

Any owner(s) who fail to remove noxious weeds, as defined in Section 1, shall be subject to a fine of not more than seven hundred and fifty dollars (\$750) for each day the owner(s) fail to remove noxious weeds. The Municipal court, upon a finding that the owner(s) of a property where noxious weeds have not been removed, may issue an order permitting the Lincoln County Weed and Pest District and/or the Town of Alpine Maintenance Supervisor to enter upon the owner(s) real property for the purpose of exterminating or removing such noxious weeds. The Municipal Court may, at its discretion, order the owner(s) to pay restitution for the costs of extermination and/or removal. Said costs shall become a lien against the real property of the owner(s).

5. Conflicts Repealer.

Any ordinance or part of any ordinance that may conflict herewith is hereby repealed.

6. This Ordinance Passed and Approved on the Following Date.

Passed First Reading this 17th day of March 2020

VOTE: 5 YES, 0 NO, 0 ABSTAIN, 0 ABSENT

Passed Second Reading this 21st day of April 2020

VOTE: 5 YES, 0 NO, 0 ABSTAIN, 0 ABSENT

Passed on Third and Final Reading this 19th day of May 2020

VOTE: 5 YES, 0 NO, 0 ABSTAIN, 0 ABSENT



FOR THE GOVERNING BODY

W. Kennis Lutz
W. Kennis Lutz, Mayor

ATTEST:

Sharon L. Backus
Sharon L. Backus, Clerk / Treasurer

ATTESTATION OF THE TOWN CLERK

STATE OF WYOMING)
COUNTY OF LINCOLN)
TOWN OF ALPINE)

I hereby certify that the forgoing 273 Ordinance No. 2020-01 shall be duly posted for ten (10) days in the Town Office.

I further certify that the foregoing Ordinance will be posted on the Town website in final form, upon its passing and approved by the Town Council as soon as is practicable.

I further certify that the forgoing Ordinance was duly recorded in the BOOK OF ORDINANCES VI, TOWN OF ALPINE; LINCOLN COUNTY, WYOMING.



ATTEST:

Sharon L. Backus
Sharon L. Backus, CLERK/TREASURER